

MEMO ENDORSED

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LINDA B. SHUFFMAN,

Plaintiff,

v.

CHELSEA DAY SCHOOL INC., JEAN
ROSENBERG, individually, Doe 1,
individually, Doe 2, individually, Doe 3,
individually, Doe 4, individually, Doe 5,
individually, Doe 6, individually, Doe 7,
individually, Doe 8, individually, Doe 9,
individually, Doe 10, individually, Doe 11,
individually, and Doe 12, individually,

Defendants.

Case No. 1:23-cv-09291-VEC

NOTICE OF MOTION

PLEASE TAKE NOTICE that Defendants Chelsea Day School Inc. and Jean Rosenberg, through their undersigned attorneys, Whiteford, Taylor & Preston, LLP and Milber Makris Plousadis & Seiden LLP, will move, pursuant to Federal Rules of Civil Procedure 45 and 26(c), before the Honorable Valerie E. Caproni, United States District Court for the Southern District of New York, Thurgood Marshall, United States Courthouse, 40 Foley Square, Courtroom 443, New York, NY 10007, at a date and time to be set by the Court, for an Order: (1) quashing or alternatively, modifying the subpoenas issued by Plaintiff for Petal Modeste and James Wiggins to testify at a deposition and produce documents (and to James Taylor to produce documents), or (2) granting a protective order, and (3) granting such other and further relief as the Court deems just and proper. In support, Defendants submit their Memorandum of Law dated October 28,

2024, which is being filed contemporaneously with this notice and the Declaration of Lisa M. Brauner, Esq., dated October 28, 2024, with Exhibits A through C, which is being filed contemporaneously with this notice.

Dated: New York, New York
October 28, 2024

WHITEFORD, TAYLOR & PRESTON LLP

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TO: **VIA ECF**
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The motion is DENIED without prejudice. Defendants must comply with Rule 3(B)-(C) of the Undersigned's Individual Practices in Civil Cases regarding discovery disputes. As explained in the Individual Practices, any party wishing to raise a discovery dispute with the Court must first meet and confer in good faith with the opposing party, in person or by telephone, in an effort to resolve the dispute. If this process fails and the Court's intervention is required, the parties must jointly call Chambers to schedule a joint teleconference with the Court for prompt resolution of the dispute. The Court will determine during the teleconference whether additional submissions will be required. **Parties should not make written submissions regarding discovery disputes absent Court permission.**

SO ORDERED.

 10/29/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE